

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-CV-00329-GKF-SAJ
)	
TYSON FOODS, INC., et al.,)	
)	
Defendants.)	

**SUPPLEMENTAL OBJECTIONS AND RESPONSES OF STATE OF OKLAHOMA TO
SEPARATE DEFENDANT TYSON CHICKEN, INC.'S FIRST SET OF
INTERROGATORIES PROPOUNDED TO PLAINTIFFS**

COMES NOW, the Plaintiff, the State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA, (hereinafter "the State") and supplements its previous response to Defendant Tyson Chicken, Inc's First Set of Interrogatories of April 27, 2007. The State incorporates its previous responses and objections to these interrogatories as if fully stated herein. Further, the State reserves the right to supplement its responses as additional responsive information is identified.

INTERROGATORY NO. 3: Please Identify all reports, studies, publications, research, sampling data or monitoring data which demonstrates or which the State believes tends to demonstrate that the soil, water, sediments or biota in the IRW has been injured by or become contaminated with hormones disposed of or released by the Tyson Defendants or any person or Entity for which the Tyson Defendants may allegedly be held legally responsible.



SUPPLEMENTAL RESPONSE TO INTERROGATORY NO.3

The State hereby incorporates its April 27, 2007, supplemental response and objections to this Interrogatory as if stated fully herein except that the State withdraws its reference to the A & L laboratory reports.

In further response, the State believes the following “demonstrate . . . or tend to demonstrate” that resources in the Illinois River Watershed have become contaminated with hormones for which the Tyson Defendants may be held legally responsible.

The State does not, and need not, rely for proof of this claim on evidence directly documenting each and every instance that hormones from Tyson Defendants have injured or contaminated the natural resources of the State. In those circumstances in which the State will rely on the direct release of hormones from Defendants to prove this claim, it will supplement its responses with the specific, direct evidence it will use

The State supplements its response to this interrogatory by referring Defendant to the following bates ranges and location which represent hormone sampling from the State’s February 1, 3 and 8 document production:

1. See attached an index to all of the State’s productions.
2. Analytical report re GEL data, Bates Nos. STOK23338-23356, Box 1.
3. GEL laboratory chain of custody reports, Bates Nos. STOK23357-23395, Box 1.
4. Analytical reports re GEL data, Bates Nos. STOK23396-23574, Box 1.
5. GEL Laboratory chain of Custody, Bates Nos. STOK23755-23793, Box 1.
6. Analytical reports re GEL data, Bates Nos. STOK23794-24162, Box 1.

INTERROGATORY NO. 4: Please Identify all reports, studies, publications, research, sampling data or monitoring data which demonstrates or which the State believes tends to

demonstrate that the soil, water, sediments or biota in the IRW has been injured by or become contaminated with microbial pathogens disposed of or released by the Tyson Defendants or any person or Entity for which the Tyson Defendants may allegedly be held legally responsible.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO.4

The State hereby incorporates its April 27, 2007, supplemental response and objections to this Interrogatory as if stated fully herein except that the State withdraws its reference to the A & L laboratory reports.

In further response, the State believes the following “demonstrate . . . or tend to demonstrate” that resources in the Illinois River Watershed have become contaminated with microbial pathogens for which the Tyson Defendants may be held legally responsible. The State does not, and need not, rely for proof of this claim on evidence directly documenting each and every instance that microbial pathogens from Tyson Defendants have injured or contaminated the natural resources of the State. In those circumstances in which the State will rely on the direct release of microbial pathogens from Defendants to prove this claim, it will supplement its responses with the specific, direct evidence it will use. Furthermore, DNA evidence, as indicated on the State’s privilege log, will be disclosed pursuant to our previous discussions on this matter.

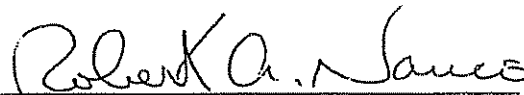
The State supplements its response to this interrogatory by referring Defendant to the following bates ranges and location which represent microbial pathogens from the State’s February 1, 3 and 8 document production:

1. See attached an index to all of the State’s productions.
2. Food Protech, Bates Nos. STOK14522-14606, Box 7.
3. EML Data: 233292-259309, Bates Nos. STOK18541-18764.
4. EML Data: 225284-233290, Bates Nos. STOK18765-18984.

5. EML Data: 215478-225279, Bates Nos. STOK18985-19197.
6. EML Data: 153505-214398, Bates Nos. STOK19198-19414.
7. EML bacteria data (including chain of custody), Bates Nos. STOK24163-24218.
8. EML bacteria reports, Bates Nos. STOK24482-24493.
9. Biosep, Bates Nos. STOK20402-20438
10. USGS Data-Bates Nos. STOK18518-18540

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of May, 2007, the foregoing document was electronically transmitted to the following:

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